

RHODE ISLAND DEPARTMENT OF PUBLIC SAFETY

Municipal Police Training Academy

Community College of Rhode Island — Flanagan Campus

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Colonel Steven G. O'Donnell

Captain David A. Ricciarelli

Commissioner, Department of Public Safety

Interim Director

Superintendent, Rhode Island State Police Municipal Police Training Academy

Police Officers Commission on Standards & Training

Meeting Minutes

August 30, 2012

1. Welcome and Roll Call

Colonel Stephen M. McCartney called to order the regular meeting of the Police Officers Commission on Standards & Training (POST) at 10:06 a.m. on August 30, 2012 in RIMPA-Lincoln.

Colonel McCartney asked Donna Lavallee to take a roll call. The following POST members were present: Colonel Stephen M. McCartney, Chief Anthony Pesare, Chief Edward Mello, Colonel

Steven G. O'Donnell and Mr. Shawn Brown. Also present were Mr. Richard B. Woolley, Esq., Captain David Ricciarelli, Captain David DelBonis, Donna Lavalley, Ms. Lisa Holley, Major Wilfred Hill and Sergeant Scott Raynes, Mr. Paul Dutra and Chief Joseph Tavares.

2. Approval of the minutes

Colonel McCartney asked for approval of the minutes from the meetings dated May 3, 2012 and August 9, 2012. Under discussion, Chief Pesare stated that on the May 3rd minutes, under Item #16, the motion should read "4-0". Mr. Brown made a motion to accept the minutes with the revision; Colonel O'Donnell seconded the motion. After no further discussion and all in favor (5-0), the motion carries and minutes were accepted.

3. Colonel Steven G. O'Donnell, DPS Commissioner, Discussion on the following:

• Future Academy Staff

Colonel O'Donnell stated that Trooper Ken Jones will be assigned to the Police Academy full time beginning next week. He is currently in discussions at headquarters about the Director position. He may decide to wait for the Google monies before making a decision.

Colonel McCartney asked that we put Agenda items 15 & 16 next on the agenda to accommodate Chief Joseph Tavares.

15. Request for Re-Certification/Chief Joseph H. Tavares:

• (ret) EPPD Lt. Steven Enos

Chief Tavares summarized Lt. Steve Enos' work history. He is looking to work details as a retiree for East Providence P.D. They must be police officers and sworn in by the city manager before three

years of last employment. Lt. Enos left E.P.P.D. several years ago and continued as Police Chief in Massachusetts. Because of his role, he should meet the requirements. He stated that on the letter from Mass., there were some conditions involving an Orientation program. Chief Tavares states that Lt. Enos completed what was available to him at the time. He will only be working details like other retirees.

Colonel O'Donnell began a discussion as to the events that occurred in Rehoboth when he was Police Chief and asked for more details. Chief Tavares stated that the incident occurred in E. Providence and E.P.P.D. does have a report. He was not charged but was subsequently let go by the Town of Rehoboth. He does not feel that the incident in itself should disqualify him from working details. Lisa Holley stated that at the last POST meeting the NDI was discussed. Working details is one thing and being armed and certified is another and she errs on the side of caution as to working a detail versus this body authorizing someone who may have a trigger for de-certification. Chief Mello stated that there seems to be two issues:

Was he formally certified in Massachusetts and does Mass. Participate in de-certification and would he get de-certified due to this incident? Capt. Ricciarelli answered that Mass. does not participate. He stated this items was tabled from the May POST meeting to provide documentation and that still has not been met. At this point, we don't know if Lt. Enos met all conditions for certification. Chief Tavares stated that as recently as this morning, he spoke with the Program Coordinator and he has still not received any documentation from them. Colonel McCartney concurred that this is still lacking

appropriate documentation. Chief Pesare stated that with all due respect, he has concerns about certifying this individual without more information for this committee. He would feel very uncomfortable to certify Lt. Enos at this time. Colonel McCartney agreed that this request is questionable at this time. Colonel O'Donnell made a motion to do more research on this and table until further research is done to give to the Commission to render a decision. This motion was seconded by Chief Mello. Colonel O'Donnell further stated that the two issues must be addressed and also obtain a Psychological Report. Chief Tavares will make available this information after asking Lt. Enos if he wants to pursue his request knowing that all reports will be going to the POST for review. Colonel McCartney asked that perhaps the Town of Rehoboth could provide a letter as to the circumstances that led to him being terminated. All in favor, 5-0, motion carries.

16. Discussion of potential re-certification/Chief Joseph Tavares:

- **John Anderson**

Chief Tavares stated that John Anderson is a former East Providence police officer who retired on a disability pension. He received a visit from Mr. Anderson stating he wanted to come back to work. There are a number of elements and obstacles to overcome. He is outside of the Three-year rule. This issue involves pension boards and a host of things to overcome. Up to this point, he has not delivered his paperwork. He showed up on his own at a P/T test here at the Academy and Chief Tavares just wanted to get his name out to the POST. At this point, he is not supporting him to return to work. This

is merely informational and is tabled until further notice.

5. Recruit Application Process

- **Discussion on Mandatory credit checks**

Captain Ricciarelli stated that during this past recruit process, about 60% of the departments submitted credit checks for their candidates. They had the recruit do them on their own and submit them. All were provided and it placed the burden on the recruit to obtain their own. Chief Mello asked Colonel O'Donnell about their resources. Sergeant Raynes looked into it and it would mean re-writing federal grants and there would be billing issues to the departments. He also spoke with the DPS Business office and there are only two certified users and not enough manpower. Colonel McCartney suggested that we just stay with the practice of having the recruits provide them to their respective departments.

5. Traffic Accident Reconstruction program

Captain Ricciarelli stated we are looking for advice from the POST regarding this program. Don Mon, the Instructor, cannot submit outlines for POST certification prior to the start of the class(September7th). He was sent out the details that would be required and he sees it as something he cannot complete prior to the training. If he doesn't, the attendees would not receive a POST certification, just a Certificate of Attendance. He has done previous trainings for the Academy but the model has since changes. Colonel McCartney stated that no members of his department would be attending because he is concerned that the instructor does not meet

the standards. Major Hill stated that initially Providence PD was hosting and Chief Silva thought we would co-sponsor due to department need. He moves to remove DPS because we cannot stand by something that is not certified. If Providence PD wants to still run with it, they can do so with their own endorsement. He has issues with this particular process. Colonel McCartney does not think we should be associated with anything to do with this training. Colonel O'Donnell stated that two trooper are going to recon school next week, which will enable them to have the highest certification. Chief Mello is concerned that since the class was advertised and co-hosted by the Academy, we should tell the agencies that it is not POST certified and not endorsed by DPS. Colonel McCartney stated he feels it should be cancelled all together and Colonel O'Donnell agreed. He stated this school should be top-notch and if it has no value, it is senseless to run. Major Hill asked if it would be permissible if Providence still wanted to run it alone. Colonel O'Donnell suggests talking to Chief Clements and explaining the situation. Chief Pesare made a motion to cancel the Traffic Accident Reconstruction workshop and Colonel O'Donnell seconded the motion.

Under discussion, Colonel O'Donnell stated he would contact Colonel Clements and Colonel Pare. Lisa Holley interjected that this could be a learning moment just as sending out training announcements for other entities via our mailing list. Major Hill stated we are trying to limit the training announcements going out to just state agencies. Colonel O'Donnell spoke a little about the liability of sending training

announcements using the Academy list serve. With all in favor, 5-0, the motion carries.

7. Discussion on Fair & Impartial Policing: Executive Workshop

- **Colonel Stephen M. McCartney**

Colonel McCartney put this item on the agenda because he had concerns that the response was underwhelming initially; however, thanks to Colonel O'Donnell, the word has gotten out to community leaders and legislatures and the training seems to be back on track. Colonel O'Donnell spoke a little about the great relationship DPS has with the community leaders and he believes you will see some positive conflict with this training.

8. Approval of Pawtucket Police Department SWAT team re-certification

Sergeant Raynes stated that the Standards committee met and unanimously met all POST standards and prepared to re-certify their Swat team. Shortly thereafter, Chief King contacted State Police and suspended their SWAT team and signed an MOU with the State. Sergeant Raynes recommended to table this item for now and if he wants to re-enact SWAT, we will then re-assess.

9. Certification of Neil Laird-waiver candidate, New Shoreham PD

- **Documentation of requirements met**

Captain Ricciarelli stated that all documentation has been received and all conditions have been met for certification. Chief Pesare made a motion to grant Neil Laird certification and Mr. Brown seconded the

motion. With all in favor, 5-0, motion carries.

10. Brown University waiver request

Captain Ricciarelli stated that he has received two waiver requests for two Providence PD Sergeants who have come onto Brown University's Police Department. Dep. Chief Shanley submitted more information as to what Brown has done to update their training. This is just an informational item.

11. Update on Class 2012-II, 199th Session/Captain DelBonis

Captain DelBonis stated that the class is currently in Week 6. There is a two-platoon system in place, with 25 recruits in each. The current number of recruits is 50. The range program will begin in two weeks and this will be the first time we will be utilizing two ranges due to the class size. The class is progressing at a fast pace.

12. Update on Continuing Education/Captain Ricciarelli

Captain Ricciarelli stated that we had three programs in August and the September has slowed a bit due to staffing. We will pickup the slack in October and November and the calendar will go out next week.

13. POST approval of Academy Adjunct Instructors

- **David Silva, Pawtucket PD-Use of Force**
- **Lt. Denis Lefebvre, Jr., Pawtucket PD-Use of Force**
- **Off. Percy Smith, Pawtucket PD-Use of Force**
- **Off. Robert Cardente, Pawtucket PD-Use of Force**
- **Off. Jeanne Peck, Brown U.-O.C. Instruction**
- **Off. Robert Brown, NPPD, EVOC**
- **Off. Steven Branch, E.G.PD, Basic Water Rescue**
- **Off. Richard Parenti, Scituate PD, Physical Training**

Chief Pesare asked if these instructors will be required to attend the Instructor Development workshop in the future. Captain Ricciarelli replied, yes, they have two years to complete that course. Lisa Holley had a concern about Off Robert Brown being a certified EVOC instructor. It was explained that he would be an assistant only. Colonel O'Donnell made a motion to recommend these adjunct instructors perform duties and functions commensurate with their certifications and Chief Pesare seconded the motion. With all in favor, 5-0, motion carries.

14. Approval of firearms (qualification) programs (Pursuant to 11-47-15.3)

- **Wyatt Detention Center**
- **RI Sheriffs Department**

Captain Ricciarelli stated that both agencies have met Rhode Island Standards. Chief Mello asked why we control the Firearms Program for Wyatt and Colonel McCartney replied that Wyatt was put into legislature about five years ago. Mr. Brown made a motion to approve Wyatt Detention Center and RI Sheriffs Department's Firearms programs. Chief Mello seconded the motion, and with all in favor 5-0, motion carries.

Colonel O'Donnell had a short discussion on MOU's and the unusual amount being received lately. He is concerned with the liability issues and Paul Dutra of the Interlocal Trust agreed due to the possibility of not being covered due to the issues of jurisdiction.

17.Adjournment:

Chief Pesare made a motion to adjourn the POST meeting and Chief Mello seconded the motion. The meeting was adjourned at 11:31 a.m.

Minutes submitted by: Donna M. Lavalley, Administrative Assistant